

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 613 OF 2015

MR. DARRYL BRUCE THORPE, THR. POA
MRS. BETTY RATOS E RODRIGUES AND
ANR.,

... Petitioners

Versus

THE UNION OF INDIA, THROUGH THE
MINISTRY OF FINANCE, ENFORCEMENT
DIRECTORATE AND 3 ORS.,

... Respondents

Mr. Nigel Da Costa Frias, Advocate for the petitioners.
Mr. D. Lawande, Asst. Solicitor General for the respondents No.1.
Mr. Nikhil Vaze, Advocate for the respondent No.3.

Coram:- F. M. REIS &
C. V. BHADANG, JJ.

Date:- 17th December, 2015

P.C.:

Heard Mr. Nigel Costa Frias, learned Counsel appearing for the petitioners, Mr. D. Lawande, learned Asst. Solicitor General for the respondent No.1 and Mr. N. Vaze, learned Counsel appearing for the respondent No.3.

2. Learned Counsel appearing for the respondent No.3, who is the original complainant, has raised a preliminary objection to the maintainability of the petition on the ground of availability of an alternate remedy by way of an appeal under Section 17 of the Foreign Exchange Management Act.

3. Faced with this situation, the learned Counsel appearing for the petitioners, on instructions, seeks permission to withdraw the petition, with liberty to approach the Competent Authority, in an appeal, within three weeks. He also submits that the interim order operating in this petition may be continued.

4. In such circumstances, the petition stands dismissed as withdrawn, with liberty to the petitioners to avail of the alternate remedy available in law. The interim order dated 4th August, 2015 shall continue and shall be subject to further orders that may be passed by the Appellate Authority. All contentions of both the parties, on merits, are left open.

C. V. BHADANG, J.

F. M. REIS, J.

ssm.